

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of
Maria T. Thompson
Respondent

Civil Citation No. 68479
3944 Deer Trail Way

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 18, 2009, for a Hearing on a citation for violations of the Baltimore County Code 9BCC) section 35-5-302 (b)(1)(7), failure to repair defective fence on residential property known as 3944 Deer Trail Way, 21133.

On October 21, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Lavette Street issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$400.00 (four hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on September 22, 2009 for repair of defective fence. This Citation was issued on October 21, 2009.

B. Photographs in the file show a wooden board privacy fence with a large section partially detached and leaning. Respondent is not required to have a fence on this property, but if a fence is present it must be in good repair. Respondent is required by law to maintain the exterior of the house at least in conformance with county code standards, including keeping "Fencing on the premises in good repair and in a structurally sound condition." Baltimore County Code Section 35-5-302(b)(7).

C. Notes in the file show that the Correction Notice was returned by the post office, but all notices were posted on the property door. Court records show this property is in foreclosure.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$400.00 (four hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violation is corrected by December 21, 2009.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 25th day of November 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

